

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

TRUE THE VOTE, *et al.*

PLAINTIFFS

V.

CIVIL ACTION NO.: 3:14-CV-532-NFA

THE HONORABLE DELBERT HOSEMANN,  
in his official capacity, as Secretary of State for the  
State of Mississippi, *et al.*,

DEFENDANTS

**JOINDER OF LAUDERDALE COUNTY  
MISSISSIPPI ELECTION COMMISSION  
TO SECRETARY OF STATE DELBERT HOSEMANN'S  
RESPONSE IN OPPOSITION TO MOTION FOR  
PRELIMINARY INJUNCTION AND BRIEF  
OF SECRETARY OF STATE DELBERT HOSEMANN  
IN OPPOSITION TO MOTION FOR PRELIMINARY INJUNCTION**

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COMES NOW Defendant, Lauderdale County Mississippi Election Commission ("Lauderdale Commission") through counsel, and files this its Joinder to the Response in Opposition Plaintiff's Motion for Temporary Restraining Order [ECF No. 92] and Joinder to Memorandum in Opposition to Plaintiff's Motion for Temporary Restraining Order [ECF No. 93] filed by the Honorable Delbert Hosemann in his capacity as Secretary of State for the State of Mississippi ("the Secretary").

In further support of the Secretary's filings, particularly footnote 2 on page 4 of the Secretary's Brief [ECF No. 93], the Lauderdale Commission submits as Exhibit "1" hereto, an August 7, 2014 letter received by the Lauderdale County Circuit Clerk from counsel for candidate Chris McDaniel via certified mail on August 8, 2014. In the letter,

Candidate McDaniel's counsel advises the Circuit Clerk that "Chris McDaniel has made the decision to challenge the election results." *Id.* Moreover, counsel for Chris McDaniel reminds the Circuit Clerk of the necessity that she maintain "all of the election materials" "safely and securely" until his election contest has been finally decided, as follows:

Due to the challenge, it will be necessary for you to maintain all the election materials, including all chain of custody information safely secured.

Thank you for your assistance with keeping these records safely and securely until the challenge has been completely adjudicated.

*Id.* The Lauderdale Commission expects that Candidate McDaniel's counsel has mailed similar (likely identical) letters to the Circuit Clerks for all of Mississippi's eighty-two (82) counties. Borrowing the Secretary's words, there is no doubt that like the public, Candidate McDaniel "has a significant interest in seeing that [his] ongoing election challenge is not tainted by this collateral lawsuit." *See* ECF No. 93 at 34.

This the 8<sup>th</sup> day of August, 2014.

Respectfully submitted,

**LAUDERDALE COUNTY MISSISSIPPI  
ELECTION COMMISSION, DEFENDANT**

BY: /s/ Lee Thaggard

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**CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing with the Clerk of the Court using the ECF system which sent notification of such filing to the following:

All counsel of record

and I hereby certify that I have mailed by United States Postal Service the document to the following non-ECF participants:

None.

Respectfully submitted this the 8<sup>th</sup> day of August, 2014.

/s/ Lee Thaggard  
Lee Thaggard

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